

103D CONGRESS  
1ST SESSION

# H. R. 3340

To amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 1993

Mr. SLATTERY (for himself, Mr. BILIRAKIS, Mr. MONTGOMERY, Mr. STUMP, Mr. APPLEGATE, Mr. EVERETT, Mr. EVANS, Mr. STEARNS, Mr. SANGMEISTER, Mr. KING, Mr. EDWARDS of Texas, Mr. TEJEDA, and Mr. SPENCE) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38,**

4 **UNITED STATES CODE.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Veterans’ Benefits Amendments of 1993”.

1 (b) REFERENCES.—Except as otherwise expressly  
2 provided, whenever in this Act an amendment or repeal  
3 is expressed in terms of an amendment to, or repeal of,  
4 a section or other provision, the reference shall be consid-  
5 ered to be made to a section or other provision of title  
6 38, United States Code.

7 **TITLE I—COMPENSATION AND**  
8 **DIC RATE INCREASES**

9 **SEC. 101. DISABILITY COMPENSATION.**

10 Section 1114 is amended—

11 (1) by striking out “\$85” in subsection (a) and  
12 inserting in lieu thereof “\$87”;

13 (2) by striking out “\$162” in subsection (b)  
14 and inserting in lieu thereof “\$166”;

15 (3) by striking out “\$247” in subsection (c)  
16 and inserting in lieu thereof “\$253”;

17 (4) by striking out “\$352” in subsection (d)  
18 and inserting in lieu thereof “\$361”;

19 (5) by striking out “\$502” in subsection (e)  
20 and inserting in lieu thereof “\$515”;

21 (6) by striking out “\$632” in subsection (f)  
22 and inserting in lieu thereof “\$639”;

23 (7) by striking out “\$799” in subsection (g)  
24 and inserting in lieu thereof “\$819”;

1 (8) by striking out “\$924” in subsection (h)  
2 and inserting in lieu thereof “\$948”;

3 (9) by striking out “\$1,040” in subsection (i)  
4 and inserting in lieu thereof “\$1,067”;

5 (10) by striking out “\$1,730” in subsection (j)  
6 and inserting in lieu thereof “\$1,774”;

7 (11) by striking out “\$2,152” and “\$3,015” in  
8 subsection (k) and inserting in lieu thereof “\$2,207”  
9 and “\$3,093”, respectively;

10 (12) by striking out “\$2,152” in subsection (l)  
11 and inserting in lieu thereof “\$2,207”;

12 (13) by striking out “\$2,371” in subsection (m)  
13 and inserting in lieu thereof “\$2,432”;

14 (14) by striking out “\$2,698” in subsection (n)  
15 and inserting in lieu thereof “\$2,768”;

16 (15) by striking out “\$3,015” each place it ap-  
17 pears in subsections (o) and (p) and inserting in lieu  
18 thereof “\$3,093”;

19 (16) by striking out “\$1,295” and “\$1,928” in  
20 subsection (r) and inserting in lieu thereof “\$1,328”  
21 and “\$1,978”, respectively; and

22 (17) by striking out “\$1,935” in subsection (s)  
23 and inserting in lieu thereof “\$1,985”.

24 **SEC. 102. ADDITIONAL COMPENSATION FOR DEPENDENTS.**

25 Section 1115(1) is amended—

1 (1) by striking out “\$103” in clause (A) and  
2 inserting in lieu thereof “\$105”;

3 (2) by striking out “\$174” and “\$54” in clause  
4 (B) and inserting in lieu thereof “\$178” and “\$55”,  
5 respectively;

6 (3) by striking out “\$71” and “\$54” in clause  
7 (C) and inserting in lieu thereof “\$72” and “\$55”,  
8 respectively;

9 (4) by striking out “\$82” in clause (D) and in-  
10 serting in lieu thereof “\$84”;

11 (5) by striking out “\$191” in clause (E) and  
12 inserting in lieu thereof “\$195”; and

13 (6) by striking out “\$160” in clause (F) and  
14 inserting in lieu thereof “\$164”.

15 **SEC. 103. CLOTHING ALLOWANCE FOR CERTAIN DISABLED**  
16 **VETERANS.**

17 Section 1162 is amended by striking out “\$466” and  
18 inserting in lieu thereof “\$478”.

19 **SEC. 104. DEPENDENCY AND INDEMNITY COMPENSATION**  
20 **FOR SURVIVING SPOUSES.**

21 Section 1311 is amended—

22 (1) in subsection (a)(1), by striking out “\$750”  
23 and inserting in lieu thereof “\$769”;

24 (2) in subsection (a)(2), by striking out “\$165”  
25 and inserting in lieu thereof “\$169”;

1 (3) in subsection (a)(3), by striking out the  
 2 table therein and inserting in lieu thereof the follow-  
 3 ing:

“Pay grade	Monthly rate	Pay grade	Monthly rate
E-7 .....	\$794	O-3 .....	\$897
E-8 .....	838	O-4 .....	948
E-9 .....	<sup>1</sup> 875	O-5 .....	1,044
W-1 .....	812	O-6 .....	1,177
W-2 .....	844	O-7 .....	1,271
W-3 .....	869	O-8 .....	1,392
W-4 .....	920	O-9 .....	1,492
O-1 .....	812	O-10 .....	<sup>2</sup> 1,636
O-2 .....	838		

<sup>1</sup> If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be \$943.

<sup>2</sup> If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be \$1,743.”;

4 (4) in subsection (c), by striking out “\$191”  
 5 and inserting in lieu thereof “\$195”; and

6 (5) in subsection (d), by striking out “\$93” and  
 7 inserting in lieu thereof “\$95”.

8 **SEC. 105. DEPENDENCY AND INDEMNITY COMPENSATION**  
 9 **FOR CHILDREN.**

10 (a) DIC FOR ORPHAN CHILDREN.—Section 1313(a)  
 11 is amended—

12 (1) by striking out “\$319” in clause (1) and in-  
 13 serting in lieu thereof “\$327”;

14 (2) by striking out “\$460” in clause (2) and in-  
 15 serting in lieu thereof “\$471”;

16 (3) by striking out “\$595” in clause (3) and in-  
 17 serting in lieu thereof “\$610”; and

1 (4) by striking out “\$595” and “\$117” in  
 2 clause (4) and inserting in lieu thereof “\$610” and  
 3 “\$120”, respectively.

4 (b) SUPPLEMENTAL DIC FOR DISABLED ADULT  
 5 CHILDREN.—Section 1314 is amended—

6 (1) by striking out “\$191” in subsection (a)  
 7 and inserting in lieu thereof “\$195”;

8 (2) by striking out “\$319” in subsection (b)  
 9 and inserting in lieu thereof “\$327”; and

10 (3) by striking out “\$162” in subsection (c)  
 11 and inserting in lieu thereof “\$166”.

12 **SEC. 106. EFFECTIVE DATE.**

13 The amendments made by this title shall take effect  
 14 on December 1, 1993.

15 **TITLE II—BENEFITS FOR**  
 16 **UNREMARIED SURVIVING**  
 17 **SPOUSES**

18 **SEC. 201. SPECIAL DEATH GRATUITY FOR UNREMARIED**  
 19 **SURVIVING SPOUSES.**

20 (a) IN GENERAL.—Chapter 13 is amended by adding  
 21 at the end of subchapter II the following new section:

22 **“§ 1319. Special death gratuity**

23 “In any case in which benefits under this chapter  
 24 have been terminated or denied as the result of a marriage  
 25 by a surviving spouse and in which such marriage has sub-

1 sequently been terminated by death or divorce, a special  
 2 monthly death gratuity shall be payable to an unremarried  
 3 surviving spouse in an amount equal to the amount pay-  
 4 able under section 1311(a)(1) of this title, subject to a  
 5 reduction of \$1 for each \$1 of income countable under  
 6 section 1315(f)(1) of this title.”.

7 (b) CLERICAL AMENDMENT.—The table of sections  
 8 at the beginning of such chapter is amended by inserting  
 9 after the item relating to section 1318 the following new  
 10 item:

“1319. Special death gratuity.”.

11 **SEC. 202. RESTORATION OF PENSION ELIGIBILITY FOR**  
 12 **UNREMARIED SPOUSES.**

13 Section 1501 is amended by adding at the end the  
 14 following new paragraph:

15 “(5) The term ‘surviving spouse’ includes the spouse  
 16 of a deceased veteran whose eligibility for benefits under  
 17 this chapter as a surviving spouse was terminated or de-  
 18 nied by reason of a subsequent remarriage if such subse-  
 19 quent remarriage is terminated by death or divorce.”.

20 **SEC. 203. RESTORATION OF BURIAL ELIGIBILITY FOR**  
 21 **UNREMARIED SPOUSES.**

22 Section 2402(5) is amended by inserting “(which for  
 23 purposes of this chapter includes an unremarried surviving  
 24 spouse who had a subsequent remarriage which was termi-  
 25 nated by death or divorce)” after “surviving spouse”.

1 **SEC. 204. EFFECTIVE DATE.**

2 (a) IN GENERAL.—Subject to subsection (b), the  
3 amendments made by sections 201 and 202 shall take ef-  
4 fect on December 1, 1994.

5 (b) CONTINGENCY.—The amendments made by sec-  
6 tions 201 and 202 shall not take effect if there has not  
7 been enacted as of December 1, 1994, a law providing a  
8 cost-of-living adjustment in the rates of compensation pay-  
9 able under chapter 11 or dependency and indemnity com-  
10 pensation payable under chapter 13 of title 38, United  
11 States Code, for fiscal year 1995.

12 **TITLE III—COST SAVINGS**  
13 **PROVISION**

14 **SEC. 301. POLICY REGARDING COST-OF-LIVING ADJUST-**  
15 **MENT IN COMPENSATION RATES FOR FISCAL**  
16 **YEAR 1995.**

17 The fiscal year 1995 cost-of-living adjustments in the  
18 rates of and limitations for compensation payable under  
19 chapter 11 of title 38, United States Code, and of depend-  
20 ency and indemnity compensation payable under chapter  
21 13 of such title will be no more than a percentage equal  
22 to the percentage by which benefit amounts payable under  
23 title II of the Social Security Act (42 U.S.C. 401 et seq.)  
24 are increased effective December 1, 1994, as a result of  
25 a determination under section 215(i) of such Act (42  
26 U.S.C. 415(i)), with all increased monthly rates and limi-



- 1 tations (other than increased rates or limitations equal to
- 2 a whole dollar amount) rounded down to the next lower
- 3 dollar.

